

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

<p><b>ELAINE ST. CLAIR,</b></p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p><b>FOX RUN VILLAGE, INC.,</b></p> <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;"><b>2:24-CV-12625-TGB-CI</b></p> <p style="text-align: center;">HON. TERRENCE G. BERG</p> <p style="text-align: center;"><b>ORDER TERMINATING AS MOOT MOTION TO DISMISS (ECF NO. 4)</b></p>
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On October 4, 2024, Plaintiff Elaine St. Clair filed a complaint against Defendant Fox Run Village, Inc., alleging claims for hostile work environment, retaliation, and wrongful termination based on her race and sex in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e, et seq., and for age discrimination in violation of the Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621, et seq. ECF No. 1. On November 19, 2024, Defendant filed a Motion to Dismiss Plaintiff's Complaint. ECF No. 4.

Subsequently, on November 21, 2024, without opining as to the merits of Defendant's motion, the Court entered an order giving Plaintiff the opportunity to amend her complaint within 14 days of the Court's order, or within the time remaining for Plaintiff to respond to the motion, whichever is longer. ECF No. 5. The order also advised that the Court would decide the motion on the merits if Plaintiff elected not to amend her complaint. The order further explained that if Plaintiff filed such an amendment, the court would dismiss Defendant's motion as moot. *Id.*

On January 3, 2025, pursuant to a stipulated order extending the time for Plaintiff to respond to Defendant's motion to dismiss, Plaintiff filed an amended complaint. ECF No. 10.

Accordingly, the Court will **DENY WITHOUT PREJUDICE AS MOOT** Defendant's Motion to Dismiss, ECF No. 4. Defendant has 14 days from the date of service of the amended complaint to answer or otherwise response to it. Fed. R. Civ. P. 15(a)(3).

**IT IS SO ORDERED.**

Dated: January 10, 2025 /s/Terrence G. Berg  
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HON. TERRENCE G. BERG  
UNITED STATES DISTRICT JUDGE